

REFERENCE TITLE: holographic wills

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SB 1590

Introduced by
Senators Gould: Harper

AN ACT

AMENDING SECTIONS 14-2502 AND 14-2503, ARIZONA REVISED STATUTES; RELATING TO
WILLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 14-2502, Arizona Revised Statutes, is amended to
3 read:

4 14-2502. Execution; witnessed wills; holographic wills

5 A. Except as provided in sections 14-2503, 14-2506 and 14-2513, a will
6 shall be:

7 1. In writing.

8 2. Signed by the testator or in the testator's name by some other
9 individual in the testator's conscious presence and by the testator's
10 direction.

11 3. Signed by at least two people, each of whom signed within a
12 reasonable time after that person witnessed either the signing of the will as
13 described in paragraph 2 or the testator's acknowledgment of that signature
14 or acknowledgment of the will.

15 B. Intent that the document ~~constitute~~ CONSTITUTES the testator's will
16 can be established by extrinsic evidence, including, for holographic wills
17 under section 14-2503, portions of the document that are not in the
18 testator's handwriting OR THAT ARE NOT TYPED BY THE TESTATOR.

19 Sec. 2. Section 14-2503, Arizona Revised Statutes, is amended to read:

20 14-2503. Holographic wills

21 A will that does not comply with section 14-2502 is valid as a
22 holographic will, whether or not witnessed, if the signature IS IN THE
23 HANDWRITING OF THE TESTATOR and the material provisions are EITHER in the
24 handwriting of the testator OR TYPED BY THE TESTATOR.